

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

NEW BERRY INC., also doing business as	)	
BERRY METAL COMPANY,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No. 2:18-cv-01024-PLD
	)	
TODD G. SMITH,	)	
	)	
Defendant.	)	

**ORDER REGARDING MOTION FOR LEAVE TO FILE UNDER SEAL**

AND NOW this 16th day of April, 2020, the Court **GRANTS** Plaintiff Berry Metals' Motion for Leave to File Under Seal (Dkt No. 110) and permits the filing under seal of the following documents: (a) the documents produced by defendant, Todd G. Smith, marked, "Confidential - Attorney Eyes Only" and bates-stamped SMITH 00048, 53-55; and (b) the documents jointly produced by third-parties, Allan MacRae and MacRae Technologies Inc., marked, "Confidential - Attorney Eyes Only" and bates-stamped MTI000001-55. This Order does not make a substantive ruling as to the appropriateness of the various parties' labelling of the subject documents under the Protective Order at docket number 61 in this case.

/s/ Patricia L Dodge

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Patricia L. Dodge  
United States Magistrate Judge